

Exhibit 1
to the Declaration of
Robert W. McFarland

SUMMARY OF FEES SOUGHT

Timekeeper	Position	Hours Worked	Rate	Total Fees
Robert McFarland	Partner	9.4	\$675.00	\$6,345.00
Benjamin Hatch	Partner	2.9	\$675.00	\$1,957.50
V. Kathleen Dougherty	Counsel	33.6	\$475.00	\$15,960.00
Ashley Peterson	Senior Associate	31.7	\$400.00	\$12,688.00
Sean P. Walsh	Junior Associate	17.8	\$350.00	\$6,230.00
Krystal Gollogly	Litigation Paralegal	3.1	\$240.00	\$744.00
TOTAL		98.5		\$43,924.50

Row-1	Work Date	Timekeeper Name	Work Hours	Work Rate	Work Amount	Narrative
2	6/1/2020	Peterson, Ashley P.	0.20	400.00	80.00	Confer with K. Dougherty to develop strategy for upcoming meet-and-confer on depositions
3	6/1/2020	Dougherty, V. Kathleen	0.20	475.00	95.00	Communications with R. McFarland and B. Hatch regarding meet-and-confer conference call with opposing counsel
4	6/2/2020	Peterson, Ashley P.	0.80	400.00	328.00	Confer with K. Dougherty regarding strategy for additional depositions
5	6/2/2020	Dougherty, V. Kathleen	0.50	475.00	237.50	Telephone conference with opposing counsel regarding re-opening discovery window and deposition schedule
6	6/2/2020	Dougherty, V. Kathleen	1.20	475.00	570.00	Telephone conference with R. McFarland and B. Hatch in preparation for meet-and-confer conference call with opposing counsel and prepare outline of points for the same
7	6/3/2020	Peterson, Ashley P.	0.30	400.00	120.00	Emails with K. Dougherty regarding deposition strategy
8	6/3/2020	Gollogly, Krystal Lynne	0.80	240.00	192.00	Review and respond to K. Dougherty's request regarding analysis of court documents and communication with opposing counsel to determine deposition requirements Norfolk Southern's substantially complete language in connection with document production
9	6/3/2020	Gollogly, Krystal Lynne	0.20	240.00	48.00	Communication with K. Dougherty regarding upcoming telephone conference with opposing counsel to discuss deposition availability
10	6/4/2020	McFarland, Robert W.	0.20	675.00	135.00	Communications with co-counsel on additional depositions
11	6/4/2020	Peterson, Ashley P.	0.90	400.00	360.00	Confer with K. Dougherty regarding strategy for additional depositions
12	6/4/2020	Dougherty, V. Kathleen	2.90	475.00	1,377.50	Analysis of discovery materials and late-produced documents to determine need for additional depositions
13	6/5/2020	McFarland, Robert W.	0.40	675.00	270.00	Revise letter to counsel on additional depositions (0.2); communications with co-counsel on additional depositions, document production (0.2)
14	6/5/2020	Hatch, Benjamin L.	0.40	675.00	270.00	Review documents produced after depositions of McLellan and Luebbers to assess grounds for re-opening depositions
15	6/5/2020	Dougherty, V. Kathleen	0.20	475.00	95.00	Review letter to opposing counsel regarding additional depositions
16	6/5/2020	Dougherty, V. Kathleen	1.90	475.00	902.50	Analyze discovery materials and late-produced documents to develop strategy for additional depositions and prepare memorandum regarding the same
17	6/5/2020	Dougherty, V. Kathleen	0.40	475.00	190.00	Meet and confer telephone conference with opposing counsel regarding additional depositions and prepare correspondence to client regarding the same
18	6/5/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Communications with B. Hatch and R. McFarland regarding strategy for meet and confer conference
19	6/8/2020	McFarland, Robert W.	0.40	675.00	270.00	Conference call with Defendants' counsel on further depositions
20	6/8/2020	Hatch, Benjamin L.	0.40	675.00	270.00	Conduct meet and confer with defense counsel regarding discovery and deposition proposal
21	6/8/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Communications with B. Hatch and R. McFarland regarding strategy for meet and confer conference

Row-1	Work Date	Timekeeper Name	Work Hours	Work Rate	Work Amount	Narrative
22	6/11/2020	Peterson, Ashley P.	0.40	400.00	160.00	Review correspondence from opposing counsel regarding discovery schedule and confer with K. Dougherty regarding same
23	6/11/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Review correspondence from NS counsel opposing additional and re-opened depositions and communications regarding the same
24	6/12/2020	McFarland, Robert W.	0.40	675.00	270.00	Review letter from NS counsel on additional depositions and new correspondence on same
25	6/12/2020	Hatch, Benjamin L.	0.40	675.00	270.00	Address response to NS letter regarding further discovery and depositions
26	6/12/2020	Dougherty, V. Kathleen	0.90	475.00	427.50	Communications with R. McFarland, B. Hatch, and A. Peterson regarding discovery strategy and additional depositions
27	6/13/2020	Dougherty, V. Kathleen	0.80	475.00	380.00	Plan and prepare response to NS letter opposing additional and re-opened depositions
28	6/14/2020	Peterson, Ashley P.	2.90	400.00	1,160.00	Revise correspondence to opposing counsel regarding reopening depositions and scheduling issues (1.7); identify documents from NS productions to support argument in deposition correspondence (1.2)
29	6/15/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Draft and internally circulate letter regarding additional depositions
30	6/16/2020	McFarland, Robert W.	0.30	675.00	202.50	Review, revise letter to NS counsel on additional depositions
31	6/19/2020	McFarland, Robert W.	0.20	675.00	135.00	Communications with defendants' counsel on meet and confer, discovery
32	6/19/2020	Peterson, Ashley P.	0.40	400.00	160.00	Multiple emails with R. McFarland and K. Dougherty regarding meet-and-confer correspondence and related discovery issues
33	6/22/2020	McFarland, Robert W.	0.10	675.00	67.50	Communications with NS attorney M. Lacy on depositions
34	6/23/2020	Peterson, Ashley P.	0.60	400.00	240.00	Confer with K. Dougherty regarding strategy following meet-and-confer with opposing counsel (0.4); multiple emails with opposing counsel regarding meet-and-confer on deposition scheduling (0.2)
35	6/25/2020	McFarland, Robert W.	1.00	675.00	675.00	Prepare for, attend meet and confer on additional depositions
36	6/25/2020	Peterson, Ashley P.	0.60	400.00	240.00	Confer with K. Dougherty regarding deposition strategy
37	6/25/2020	Dougherty, V. Kathleen	1.30	475.00	617.50	Prepare and hold meet and confer conference regarding additional depositions
38	6/26/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Draft report to client regarding recent and upcoming meet and confer conferences
39	7/1/2020	Dougherty, V. Kathleen	0.40	475.00	190.00	Plan and prepare for next steps regarding motion to compel depositions
40	7/2/2020	Dougherty, V. Kathleen	0.70	475.00	332.50	Coordinate research and drafting of motion to compel additional depositions and re-opened depositions
41	7/6/2020	Walsh, Sean P.	6.20	350.00	2,170.00	Draft motion to compel reopened and additional depositions based on late, staggered production, posture of case, past conferral
42	7/8/2020	Walsh, Sean P.	6.80	350.00	2,380.00	Continue drafting motion to compel reopened and additional depositions based on late, staggered production, posture of case, past conferral, case law related to reopening and new discovery after close

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43	7/9/2020	Walsh, Sean P.	3.50	350.00	1,225.00	Continue drafting motion to compel reopened and additional depositions based on late, staggered production, posture of case, past conferral, case law related to reopening and new discovery after close
44	7/10/2020	Dougherty, V. Kathleen	2.20	475.00	1,045.00	Review and revise motion to compel additional depositions
45	7/12/2020	Peterson, Ashley P.	0.20	400.00	80.00	Emails with K. Dougherty regarding motion to compel
46	7/13/2020	Peterson, Ashley P.	0.30	400.00	120.00	Multiple emails with K. Dougherty regarding motion to compel
47	7/17/2020	Dougherty, V. Kathleen	2.10	475.00	997.50	Review and revise motion to compel additional depositions and re-open depositions
48	7/21/2020	Peterson, Ashley P.	2.10	400.00	840.00	Revise draft motion to compel
49	7/21/2020	Dougherty, V. Kathleen	0.90	475.00	427.50	Incorporate edits and feedback from internal team regarding motion to compel additional depositions
50	7/22/2020	Dougherty, V. Kathleen	0.80	475.00	380.00	Circulate motion to compel additional depositions to client and analyze documents to append as exhibits thereto
51	7/23/2020	Peterson, Ashley P.	0.80	400.00	320.00	Multiple emails with S. Walsh regarding motion to compel and related filings
52	7/23/2020	Gollogly, Krystal Lynne	0.70	240.00	168.00	Prepare exhibits to motion to reopen and compel depositions and forward to team
53	7/23/2020	Walsh, Sean P.	0.80	350.00	280.00	Draft standalone motion to compel and proposed order regarding further depositions
54	7/24/2020	Peterson, Ashley P.	3.70	400.00	1,480.00	Revise and finalize motion to compel depositions and related filings
55	7/24/2020	Gollogly, Krystal Lynne	0.10	240.00	24.00	Prepare combined sealed and public memorandum in support of motion to compel for A. Peterson and K. Dougherty's review
56	7/24/2020	Dougherty, V. Kathleen	3.10	475.00	1,472.50	Prepare motion, notice, and memorandum in support of sealing exhibits; finalize motion to compel and associated paperwork for filing
57	8/7/2020	Peterson, Ashley P.	1.90	400.00	760.00	Review NS opposition to motion to compel depositions (0.7); multiple communications with litigation team and client regarding reply strategy and timing (0.4); develop reply strategy (0.8)
58	8/7/2020	Dougherty, V. Kathleen	0.50	475.00	237.50	Analyze NSR's opposition to motion to compel depositions and coordinate plan to draft reply thereto
59	8/10/2020	McFarland, Robert W.	0.50	675.00	337.50	Review NS opposition to motion to compel depositions
60	8/10/2020	Peterson, Ashley P.	0.80	400.00	320.00	Draft reply brief
61	8/10/2020	Dougherty, V. Kathleen	3.80	475.00	1,805.00	Analyze deposition testimony and relevant case law to incorporate into reply in support of CSXT's motion to compel and reopen depositions
62	8/11/2020	Peterson, Ashley P.	6.60	400.00	2,640.00	Draft reply brief
63	8/11/2020	Dougherty, V. Kathleen	1.30	475.00	617.50	Analyze relevant case law regarding sufficiency of 30(b)6 witness in lieu of fact witness and deposition testimony for reply in support of CSXT's motion to compel
64	8/12/2020	Peterson, Ashley P.	2.30	400.00	920.00	Draft reply brief
65	8/12/2020	Gollogly, Krystal Lynne	0.30	240.00	72.00	Prepare exhibit to reply in support of motion to compel depositions
66	8/12/2020	Dougherty, V. Kathleen	1.20	475.00	570.00	Review and edit reply in support of CSXT's motion to compel

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67	8/13/2020	Peterson, Ashley P.	0.90	400.00	360.00	Revise reply brief (0.7); confer with K. Gollogly to facilitate filing reply (0.2)
68	8/13/2020	Gollogly, Krystal Lynne	0.30	240.00	72.00	Revise and execute reply in support of motion to compel depositions
69	8/13/2020	Walsh, Sean P.	0.50	350.00	175.00	Revise citations for reply regarding motion to compel
70	8/14/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Analyze relevant case law regarding sufficiency of 30(b)(6) witness in lieu of fact witness and deposition testimony for reply in support of CSXT's motion to compel
71	8/20/2020	Dougherty, V. Kathleen	0.30	475.00	142.50	Draft notice of intent to request hearing on motion to compel additional depositions
72	8/26/2020	Dougherty, V. Kathleen	0.50	475.00	237.50	Plan and prepare for next steps regarding hearing on motions to compel and upcoming client call
73	9/3/2020	McFarland, Robert W.	1.10	675.00	742.50	Prepare for hearing on 9/4
74	9/3/2020	Peterson, Ashley P.	1.20	400.00	480.00	Assist with hearing preparations
75	9/4/2020	McFarland, Robert W.	4.20	675.00	2,835.00	Prepare for, argue at hearing on CSX motion to compel (3.9); post-hearing conference with B. Hatch, K. Dougherty on next steps, actions (0.3)
76	9/4/2020	Peterson, Ashley P.	3.80	400.00	1,520.00	Conduct research for motion to compel hearing (1.2); confer with K. Dougherty regarding hearing strategy (0.6); participate in hearing on motions to compel (1.5); call with K. Dougherty to develop strategy for attorneys fee motion and response to NPBL interrogatories (0.5)
77	9/4/2020	Hatch, Benjamin L.	1.70	675.00	1,147.50	Participate in hearing on motions to compel and confer with R. McFarland and K. Dougherty regarding follow up to same hearing
78	9/4/2020	Dougherty, V. Kathleen	1.40	475.00	665.00	Hearing on motions to compel before Magistrate Judge Leonard
79	9/4/2020	Dougherty, V. Kathleen	2.30	475.00	1,092.50	Prepare for motion to compel hearing
80	9/8/2020	Gollogly, Krystal Lynne	0.20	240.00	48.00	Communication with H. Libbey regarding billing for use in motion for fees
81	9/8/2020	Gollogly, Krystal Lynne	0.40	240.00	96.00	Review and respond to B. Hatch's request regarding motion for attorney's fees
82	9/11/2020	McFarland, Robert W.	0.60	675.00	405.00	Review NS objections to Judge Leonard ruling on depositions (0.4); review and reply to new communications on discovery, depositions (0.2)
83	9/17/2020	Gollogly, Krystal Lynne	0.10	240.00	24.00	Communication with H. Libby regarding billing records for motion for fees